



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,313	12/07/2001	Mark O. Worthington	BTI2 00103001(USP8)US

Donald Bollella, Esq.  
LEGAL DEPARTMENT  
Burstein Technologies, Inc.  
163 Technology Drive Suite 200  
Irvine, CA 92618



CONFIRMATION NO. 7926

## FORMALITIES LETTER



\*OC000000007838192\*

Date Mailed: 04/10/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 03/27/2002 to the Notice to File Missing Parts (Notice) mailed 03/14/2002 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

*A copy of this notice **MUST** be returned with the reply.*

*MTB*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

 RECEIVED  
 MAR 21 2002  
 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,313	12/07/2001	Mark O. Worthington	459492-3

Donald Bollella, Esq.  
 LEGAL DEPARTMENT  
 Burstein Technologies, Inc.  
 163 Technology Drive Suite 200  
 Irvine, CA 92618



CONFIRMATION NO. 7926

## FORMALITIES LETTER



\*OC000000007644179\*

Date Mailed: 03/14/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*James R. Norton*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

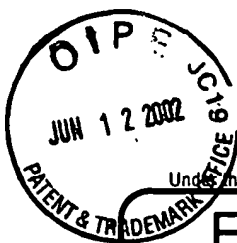
The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

*A copy of this notice **MUST** be returned with the reply.*

*Seiam*

*✓JE*  
*✓SB*  
*✓FID*



45

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)  
120.00

## Complete if Known

Application Number	10/005,313
Filing Date	December 7, 2001
First Named Inventor	Mark O. Worthington
Examiner Name	To be Assigned
Group Art Unit	2651
Attorney Docket No.	BTI2 00103001(USP8)US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-1781

Deposit Account Name: Burstein Technologies, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims - below Fee Paid

Total Claims Independent Claims: 20- = 3- =

Multiple Dependent: =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	55.00
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			
SUBTOTAL (3)			(\$) 120.00

\*Reduced by Basic Filing Fee Paid

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Donald Borjella, Esq.	Registration No. (Attorney/Agent)	35,451
Signature		Telephone	(949) 453-1800
		Date	June 11, 2002

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**BURSTEIN**  
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June 12, 2002

**VIA EXPRESS MAIL**

Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No.: 10/005,313  
Filed: December 7, 2001  
Entitled: OPTICAL DISCS FOR MEASURING ANALYTES  
Inventors: Worthington, et al.  
Our File No.: BT12 00103001(USP8)US

Dear Sir:

Enclosed for filing in the above-referenced application are the following documents:

1. Cover Letter
2. Transmittal Cover Sheet (Form PTO/SB/21)
3. Fee Transmittal with Authorization to Charge Deposit Account No. 50-1781
4. Response to Notice to File Missing Parts
5. Communication - Letter to Official Draftsperson
6. Formal Drawing Figures 1-42 on 20 Sheets
7. Return Copy of Notice
8. Request for Extension of Time
9. Communication - Change of Mailing Address
10. Copy of Associate Power of Attorney
11. Certificate of Express Mail No. ET958800106US dated June 12, 2002
12. Return Postcard

Please indicate on the enclosed postcard the date of receipt of the enclosed materials and mail this pre-paid postcard to acknowledge receipt of this transmittal.

Very truly yours,

Donald Bollella  
Chief Patent Counsel  
Registration No. 35,451

DB:jc  
Encl.

I Certify that this document was submitted to the U.S. Patent and Trademark Office using U.S. Express Mail under 37 C.F.R. § 1.10	
ET958800106US	June 12, 2002
Express Mail Label Number	Date of Deposit
Jacquelyn Campbell	
Print Name	Signature

Burstein Technologies, Inc.  
163 Technology Drive • Irvine, California 92618  
Tel: (949) 453-1800 • Fax: (949) 453-1818 • [www.bursteintech.com](http://www.bursteintech.com)

Please type a plus sign (+) inside this box --> +

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

to be used for all correspondence after initial filing)

<b>Application Number</b>	10/005,313		
	<b>Filing Date</b>	December 7, 2001	
	<b>First Named Inventor</b>	Mark O. Worthington	
	<b>Group Art Unit</b>	2651	
	<b>Examiner Name</b>	To be Assigned	
<b>Total Number of Pages in This Submission</b>	34	<b>Attorney Docket Number</b>	BTI2 00103001(USP8)US

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <u>Letter to Official Draftsperson</u> <u>Copy of Associate P of A</u> <u>Change of Mailing Address</u>
<b>Remarks</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Donald Bollella, Esq. Reg. No. 35,451
Signature	
Date	June 12, 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <span style="border: 1px solid black; padding: 2px;">June 12, 2002</span>			
Typed or printed name	Jacquelyn Campbell		
Signature		Date	June 12, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.